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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Watson et al.

Continuation Application of International Application No. PCT/US99/27805 claiming priority to U.S. provisional application no. 60/109850, filed November 25, 1998

Serial No: To be assigned

Group Art Unit: To be assigned

Examiner: To be assigned

Filed: Concurrently Herewith

Attorney Docket No.: 10545-015-999

For: Method and Compositions for Diagnosis and Treatment of Cancer Based on the Transcription Factor ETS2

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Pursuant to 37 C.F.R. § 1.111, please consider the following amendments and remarks prior to examination of the above-identified application on the merits.

IN THE CLAIMS

Cancel claims 1-39 without prejudice.

Please add the following new claims:

40. An antisense nucleic acid molecule 6 to 50 nucleotides in length, complementary to a region of the human ets2 cDNA as shown in Figure 6, wherein said antisense nucleic acid molecule specifically hybridizes to human ets2 mRNA and inhibits expression of human ets2.

41. The antisense nucleic acid molecule of claim 40 which is at least 10 nucleotides in length.

42. The antisense nucleic acid molecule of claim 40 which is at least 17 nucleotides in length.

43. The antisense nucleic acid molecule of claim 40 which is at least 25 nucleotides in length.

44. The antisense nucleic acid molecule of claim 40, wherein said region is selected from the group consisting of the 5' non-translated region, the coding region, and the 3' non-translated region of the human ets2 gene.

45. The antisense nucleic acid molecule of claim 40 or 44 which comprises at least one modified phosphate backbone.

46. The antisense nucleic acid molecule of claim 45 wherein the modified phosphate backbone comprises phosphorothioate.

47. The antisense nucleic acid molecule of claim 40 or 44 which comprises at least one modified sugar moiety.

48. The antisense nucleic acid molecule of claim 40 or 44 which comprises at least one modified base moiety.

49. The antisense nucleic acid molecule of claim 48 wherein the modified base moiety is 5'-methylcytosine.

50. A method for inhibiting the expression of human ets2 in human cells or tissues comprising delivering to the human cells or tissues in vitro the antisense nucleic acid molecule of claim 40, such that the expression of human ets2 is inhibited.

51. A method for reducing the tumorigenicity or metastatic potential of human preneoplastic or cancer cells that express the human ets2 gene, comprising delivering to the human cancer cells or tissues in vitro an effective amount of the antisense nucleic acid molecule of claim 40.

52. A method for sensitizing human cancer cells or tissues that display resistance to chemotherapeutic agents and that express the human ets2 gene, comprising delivering to the human cancer cells or tissues in vitro an effective amount of the antisense nucleic acid molecule of claim 40.

REMARKS

Claims 1-39 have been canceled, and new claims 40-52 added, to more particularly point out and distinctly claim that which Applicants regard as the invention. The subject matter of the new claim recitations is fully supported in the specification. No new matter is included. In particular, support for new claims 40-52 is found in the specification as set forth in the chart below.

Claim Nos.	Support in Specification
40, 41, 42, 43, 44	Page 4, line 27; page 16, lines 19-22; page 53, line 29 to page 54, line 1; page 54, line 29 to page 55, line 8; and page 53, lines 8-11.
45, 46	page 56, lines 20-21
47	page 56, lines 17-19
48, 49	page 56, lines 3-10
50	page 16, lines 25-27, page 57, lines 26-32
51	page 16, lines 25-27, page 57, lines 8-9, 26-32, and page 77, lines 25-29
52	page 16, lines 25-27, page 57, lines 8-9, 26-32, and page 69, lines 3-7

The Examiner's attention is invited to claims 1-12 of United States Patent No. 6,054,316, by Baker et al., issued April 25, 2000.

CONCLUSION

Applicants respectfully request that the amendments be entered and made of record in the instant application. An early allowance is earnestly requested.

Respectfully submitted,

Date: April 25, 2001

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